

Senate Bill No. 1159

CHAPTER 132

An act to amend, repeal, and add Section 820.9 of the Government Code, relating to governmental tort liability.

[Approved by Governor July 27, 1997. Filed with
Secretary of State July 28, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1159, Schiff. Governmental tort liability.

Existing law provides that specified local officials, including members of city councils, are not vicariously liable for injuries caused by an act or omission of the public entity or advisory body, except as specified.

This bill would specify that until January 1, 2000, locally elected members of town councils established by members of boards of supervisors to advise the board, as specified, are not vicariously so liable for those injuries.

The people of the State of California do enact as follows:

SECTION 1. Section 820.9 of the Government Code is amended to read:

820.9. Members of city councils, mayors, members of boards of supervisors, members of school boards, members of governing boards of other local public entities, members of locally appointed boards and commissions, members of locally appointed or elected advisory bodies, and members of locally elected town councils established by members of boards of supervisors to advise the board concerning services which may be provided to that area by the county or other local governmental entities are not vicariously liable for injuries caused by the act or omission of the public entity or advisory body. Nothing in this section exonerates an official from liability for injury caused by that individual's own wrongful conduct. Nothing in this section affects the immunity of any other public official. This section shall remain in effect only until January 1, 2000, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2000, deletes or extends that date.

SEC. 2. Section 820.9 is added to the Government Code, to read:

820.9. Members of city councils, mayors, members of boards of supervisors, members of school boards, members of governing boards of other local public entities, members of locally appointed boards and commissions, and members of locally appointed or elected advisory bodies are not vicariously liable for injuries caused by the act

or omission of the public entity or advisory body. Nothing in this section exonerates an official from liability for injury caused by that individual's own wrongful conduct. Nothing in this section affects the immunity of any other public official.

This section shall become operative January 1, 2000.

